

PROB 12B(7/93)

**United States District Court**

**for**

**District of New Jersey**

**Request for Modifying the Conditions of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Henry Rodriguez

Cr.: 08-CR-450  
PACTS Number: 51380

Name of Sentencing Judicial Officer: Honorable Faith Hochberg, United States District Judge

Date of Original Sentence: 10/20/08

Original Offenses: Conspiracy to Distribute Ecstasy & Conspiracy to Commit Robbery

Original Sentence: 12 months and one (1) day, 3 years supervised release on each count with each count to run concurrently with each other

Type of Supervision: Supervised release

Date Supervision Commenced: 1/29/09

**PETITIONING THE COURT**

☒ [X] To modify the conditions of supervision as follows. The addition of the following special condition:

Defendant shall submit his person, residence, office or vehicle to a search, conduct by a U.S. Probation Officer at reasonable time and in a reasonable manner, based upon a reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.

**CAUSE**

Based on Rodriguez's criminal history which includes Attempted Petit Larceny (in which he displayed a handgun) and Criminal Possession of a Weapon (.25 caliber handgun), Probation can most effectively supervise the offender with special search condition. Rodriguez has agreed to this modification.

Respectfully submitted

*Thomas Stone*

By: Thomas Stone  
Senior U.S. Probation Officer

Date: 4/29/09

**THE COURT ORDERS:**

☒ [X] The Modification of Conditions as Noted Above  
☐ [ ] Other

*Faith S. Hochberg*  
Signature of Judicial Officer

5/4/09  
Date

PROB 49

Waiver of Hearing to Modify Conditions  
of Supervised Release

**UNITED STATES DISTRICT COURT**  
**for the**  
**DISTRICT OF NEW JERSEY**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release:

**THE DEFENDANT SHALL SUBMIT HIS PERSON, RESIDENCE, OFFICE OR VEHICLE TO A SEARCH, CONDUCTED BY A UNITED STATES PROBATION OFFICER AT REASONABLE TIME AND IN A REASONABLE MANNER, BASED UPON A REASONABLE SUSPICION OF CONTRABAND OR EVIDENCE OF A VIOLATION OF A CONDITION OF RELEASE; FAILURE TO SUBMIT TO A SEARCH MAY BE GROUNDS FOR REVOCATION, THE DEFENDANT SHALL WARN ANY OTHER RESIDENTS THAT THE PREMISES MAY BE SUBJECT TO SEARCHES PURSUANT TO THIS CONDITION.**

Witness

  
U.S. Probation Officer

Signed:

  
Probationer or Supervised Releasee

4/16/09  
DATE